

### REMARKS

This Amendment and Response is filed in reply to the Office Action dated October 9, 2002. In this Response, Applicant amends independent claims 1 and 14 to incorporate the allowable subject matter of claim 9, thereby traversing the Examiner's rejections of independent claims 1 and 14. Applicant also cancels claim 9, without prejudice. Cancellations of and/or amendments to the claims are not an acquiescence to any of the rejections. Furthermore, silence with regard to any of the Examiner's rejections is not an acquiescence to such rejections. Specifically, silence with regard to Examiner's rejection of a dependent claim, when such claim depends from an independent claim that Applicant considers allowable for reasons provided herein, is not an acquiescence to such rejection of the dependent claim(s), but rather a recognition by Applicant that such previously lodged rejection is moot based on Applicant's remarks and/or amendments relative to the independent claim (that Applicant considers allowable) from which the dependent claim(s) depends. Furthermore, any cancellations of and amendments to the claims are being made solely to expedite prosecution of the instant application. Applicant reserves the option to further prosecute the same or similar claims in the instant or a subsequent application. Upon entry of the Amendment, claims 1-8 and 10-47 are pending in the present application.

The issues of the October 9, 2002 Office Action are presented below with reference to the Office Action.

With regard to the Office Action, paragraphs 1-13: Applicant thanks the Examiner for the finding of allowable subject matter in claim 9. In the interest of expediting prosecution, Applicant thus incorporates the allowable subject matter of claim 9 into independent claims 1 and 14, thereby traversing Examiner's rejections of the same. Accordingly, claims 2-8, 10-13, and 15-20 are also allowable as depending from an allowable base claim.

Examiner rejects independent claim 21, yet independent claim 21 includes the allowable subject matter of "opt-out" as provided in claim 9. Accordingly, Applicant traverses Examiner's rejection of independent claim 21 and considers independent claim

21 to be allowable. Accordingly, Applicant thus considers claims 22-40, which depend from independent claim 21, to also be allowable.

With regard to the Office Action, paragraph 14: Applicant thanks the Examiner for the finding of allowable subject matter in claims 41-47.

#### Conclusion

Applicants consider the Response herein to be fully responsive to the referenced Office Action. Based on the above Remarks, it is respectfully submitted that this application is in condition for allowance. Accordingly, allowance is requested. If there are any remaining issues or the Examiner believes that a telephone conversation with Applicants' attorney would be helpful in expediting the prosecution of this application, the Examiner is invited to call the undersigned at 617-832-1241.

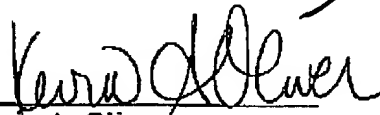
Respectfully submitted,

Date:

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## **Marked-up version of claims:**

Please amend claims 1 and 14 as follows. Please cancel claim 9.

1. (Twice amended) A method for facilitating and tracking personal referrals, comprising:
  - generating a unique identifier that is associated exclusively with the pairing of one individual and one offer;
  - sending to said individual an electronic-mail message that provides a hyperlink to or contains a Web page whose address or contents includes said unique identifier or a transformation thereof; [and ]
  - providing in said Web page a means to allow the individual to input the electronic-mail address of persons whom said individual wishes to refer; and,
  - providing in said Web page a means of opting out of receiving all such electronic-mail messages.
9. (Cancel) [The method of claim 1, further comprising:
  - providing in said Web page a means of opting out of receiving all such electronic-mail messages.]
14. (Twice amended) An apparatus for facilitating and tracking personal referrals, comprising: a storage device; and
  - a processor connected to said storage device,
  - said storage device storing a program for controlling said processor; and said processor operative with said program to:
    - generate a unique identifier that is associated exclusively with the pairing of one individual and one offer;
    - send to said individual an electronic-mail message that provides a hyperlink to or contains a Web page whose address or contents includes said unique identifier or a transformation thereof; [and ]
    - provide in said Web page a means to allow the individual to input the electronic-mail address of persons whom said individual wishes to refer; and,
    - provide in said Web page a means of opting out of receiving all such electronic-mail messages.